

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MATTHEW NICHOLAS,

Plaintiff,

v.

KAREN JENNINGS, NEBRASKA STATE
PATROL, and STATE OF NEBRASKA,

Defendants.

8:23CV126

ORDER

This matter is before the Court on defendants Nebraska State Patrol and State of Nebraska's (together, the "state defendants") Unopposed Motion to Dismiss them as parties to this case (Filing No. 55). *See* NECivR 7.1. Stating they were only named as defendants to this action to protect their subrogation interests under Neb. Rev. Stat. § 48-118 *et seq.*, the state defendants report they have settled plaintiff Matthew Nicholas's ("Nicholas") claims against them in a related case in the Nebraska Workers' Compensation Court ("state court"), Docket No. 222-1063.

According to the state defendants, the settlement agreement in that case included a full waiver of the state defendants' subrogation rights, ending their prospective interests in this case and justifying their dismissal. The state court reportedly has approved the settlement. The state defendants aver they have consulted with counsel for the other two parties in this case and neither of them object to this motion.

Having carefully considered the state defendants' cogent grounds for dismissal and heard no objection, the Court sees no reason to deny their request. Accordingly,

IT IS ORDERED:

1. Defendants Nebraska State Patrol and State of Nebraska's Unopposed Motion to Dismiss (Filing No. 55) is granted.

2. Those two defendants are dismissed from this case.

Dated this 25th day of October 2024.

BY THE COURT:

A handwritten signature in black ink, reading "Robert F. Rossiter, Jr." with a stylized flourish at the end.

Robert F. Rossiter, Jr.
Chief United States District Judge